

The Research Review is a publication of the Research Division of the Tennessee House of Representatives

Greg E. Adkins

Conservation & Environment
Transportation

Paige Edwards

Judiciary

Lawrence Hall, Jr.

State & Local Government

Cathy Higgins

Finance, Ways & Means

Chris McGrew

Commerce

Judy Narramore

Health & Human Resources

Jessica Pocolo

Education

Shannon Romain

Children & Family Affairs
Consumer & Employee Affairs

Ryan Swindell

Agriculture
Government Operations

Meagan Frazier

Staff Assistant

Denise Sims, Director

741-3025

**THE FINANCE COMMITTEE'S BUDGET HEARINGS CONTINUE:
K-12 • HEALTH • HUMAN SERVICES • CHILDREN'S SERVICES
COMMISSION ON AGING
(summaries begin on page 12)**

House Committee Activity: March 4 - 6, 2002



The State & Local Government Committee considered fourteen bills at its meeting this week. All committees have deliberated on a number of key issues during this three week recess. The House will resume floor sessions on Monday, March 11th. (Pictured are Chairman Jones and Representatives Shaw, Johnson, Overbey and Tindell.)

Agriculture

Ryan Swindell

There were two bills on the calendar to be heard in the full **Agriculture Committee** this week. **HB 2882** by Rep. McMillan, which would increase fees for licenses for a dog or cat dealer, was rolled one week. This bill, commonly referred to as "the puppy mill bill," would authorize the stopping of vehicles to check for licensure compliance and the confiscation of

endangered animals. It would also use a portion of the animal friendly specialty license plate to defray costs associated with the licensure. Under current law proceeds from the specialty license plate are distributed as grants to low-cost spay and neuter programs by the Commissioner of Health. This bill would allow the Commissioner of Agriculture to make the grants instead. If approved, the portion from the specialty license plate would be used for two years, and then the program would be self-sufficient by the fees collected.

The Marketing and Commodities Subcommittee met with two bills on the calendar. **HB 2121** by Rep. Bone was recommended to full committee. This bill would require all retailers and wholesalers that sell catfish in Tennessee to label the nation of origin of such fish. An amendment was placed on the bill to specify that all unprepared or packaged catfish should be labeled. **HB2769** by Rep. Kernell, which extends the Tennessee Soybean Promotion Board for six years, was recommended to full committee. The subcommittee adopted an amendment that places the assessment cap on soybeans at one cent per bushel.

The Agriculture Resource and Industry Subcommittee had no bills on notice and did not meet this week.

Children & Family Affairs

Shannon Romain

The **Children and Family Affairs committee** met this week to review two bills on the calendar and to hear from Connie Steere, the Executive Director of Court Appointed Special Advocate volunteers (CASA).

Both bills before the committee were rolled one week for further review. **HB 2523** by Rep. McMillan was rolled at the request of Chairman Chumney for further review and a possible amendment. Among other things, the bill makes changes to the current alimony and spousal support laws, prohibits mandatory mediation where one party receives a default judgment for failing to appear in court, and, under certain circumstances, re-classifies IRA growth as separate property.

At the request of Rep. Patton, Connie Steere testified before the committee. Ms. Steere explained the role of CASA advocates, offered statistics on the success of the program, and detailed the impact of inadequate funding. CASA recently placed a freeze on accepting new clients. Only recently has the program begun accepting new cases. According to Steere, additional funding is needed to ensure the effectiveness and success of the program.

The **Family Justice Subcommittee** was canceled for this week, however the **Domestic Relation Subcommittee** met at its regularly scheduled time. The committee reviewed and referred three bills to the full committee:

1. **HB 2338** by Rep. Bowers requires the court to order an alternating residential custody arrangement for no less than six months of the year at the request of either

parent, unless that court finds that such an arrangement is not in the best interest of the child. A verbal amendment removing the 6-month requirement will in all likelihood be adopted in the full committee.

2. **HB 2968** by Rep. Bunch exempts parents who were divorced prior to the passage of the parenting plan legislation from having to file parenting plans as a prerequisite to receiving a modification of support or custody orders.
3. **HB 2476** deletes the language in the code permitting courts the "widest discretion" to order a custody arrangement. It redefines joint physical and legal custody to mean that parents not have less than 40% of time with their child. If adopted in the full committee, a sponsor amendment will create a rebuttable presumption that shared parenting is in the best interest of the child, require the noncustodial parent to prove that he or she actively participates in the child's life, and specify that the proposed parenting plan will not alter child support awards.

Commerce

Chris McGrew

The **House Commerce Committee** sent two bills, **HB 3013** and **HB 2662**, to Calendar & Rules.

Under **HB 3013** (Rep. Kisber), charges for mobile telecommunications services, subject to taxation under present law, would be deemed to have originated or been received in Tennessee, and to be billed or charged to a service address in Tennessee. The bill adds new language that those charges would be subject to taxation if the customer's billing address is located in Tennessee, regardless of where the service originates or terminates. In addition, no charges for such services would be taxed if the customer's place of primary use is not located in Tennessee. The bill establishes certain guidelines for a home service provider's liability for taxes due on mobile telecommunications services. (A "home service provider" is the facilities-based carrier or reseller with whom the customer has contracted for the service.) It also authorizes the Commissioner of Revenue to provide a home service provider with an electronic database with certain information. The provisions are subject to federal law and sourcing rules. **HB 2662** (Rep. Cole, Dyer) repeals the use of an older edition of the National Standard Electrical Safety Code, and adopts a later edition as the standard.

House Bills 3196 and 2953 were rolled for one week.

In the **Industrial Impact Subcommittee, HB 0834** (Rep. McDaniel) was sent to the full committee. The bill decreases the interest rate used in calculating the minimum nonforfeiture amount for a paid-up annuity contract created on and after July 1, 2002. **HB 2696** was rolled one week; **HB 2415** was rolled two weeks.

The **Small Business Subcommittee** rolled **HB 2241** one week. **Utilities and Banking** did not meet after the lone bill on the calendar was rolled.

Conservation & Environment

Greg E. Adkins

The **full Environment Committee** met on Wednesday, March 06, 2002 and considered two bills. **HB 2398** by Rep. Rinks was rolled one week; the bill authorizes commissioned officers from TDEC to retain their service weapon after twenty-five years of honorable service. **HB 2904** by Rep. McCord passed to C&R. The bill changes the basis for which dry cleaners are charged fees. Currently, dry-cleaning facilities are charged an annual state registration fee based on the number of full time employees. The bill would change the registration fee to be based on the amount of chemicals they use.

The **Environment Subcommittee** met on Tuesday, March 5, 2002 and considered two bills. **HB 2902** by Rep. McCord was rolled one week; the amended bill would fast track EPA regulations by not requiring the new regulations to be reviewed by the Government Operations committees in the legislature. **HB 3138** by Rep. Sands passed to full committee as amended. The amended bill would require TDEC to maintain a registry of riparian lands along designated scenic rivers. The program is a permissive program for landowners that want to register. The bill also designates more acreage to natural-scientific areas already in existence.

Consumer & Employee Affairs

Shannon Romain

This week, the **Consumer and Employee Affairs full committee** reviewed and referred several bills to the

Finance, Ways and Means and the Calendar and Rules Committees. **HB 2277** by Rep. Kisber went to Finance, Ways and Means. According to the sponsor, by protecting over 600,000 subscribers from unwanted telemarketing calls, the Tennessee Do Not Call Register is one of the most successful programs of its kind in the country. **HB 2277**, an extension of the present program, includes unsolicited faxes in the current law. The bill requires fax solicitations to include a toll free number that consumers may use to unsubscribe to unsolicited faxes, and it authorizes penalties of up to \$2000 for each violation of the regulations.

HB 2694 and **2858** were also reviewed and were referred to Calendar and Rules. **HB 2694** by Rep. Bowers places a \$5.00 cap on the amount of fees that an outside institution may charge a customer each time the institution makes an authorized automatic debit from the customer's bank account. Tim Amos, a lobbyist with the Tennessee Bankers Association, testified during a recess that potential problems that could arise under the legislation include confusion about the types of transactions covered under the legislation, and the effects of the regulation on national banks doing business in Tennessee that are federally permitted to charge fees. Members suggested that the sponsor consider amending the bill for better clarification although the committee offered no amendments itself. **HB 2858** by Rep. Kisber also went to Calendar and Rules. As amended, the bill requires telephone companies, cooperatives and service suppliers to disclose the total costs of telephone equipment and services and the date that the services will be paid in full upon the signing of a customer's lease purchase agreement. The bill gives the Department of Commerce and Consumer Protection Division the authority to enforce the provisions, and it classifies a violation as an unfair or deceptive practice under the Consumer Protection Act of 1977.

In the **Consumer Affairs Subcommittee, HB 0236** by Rep. Patton, requiring credit-reporting agencies to provide consumers with free annual reports and notification of the dissemination of negative information, was withdrawn at the request of the sponsor. He indicated that the bill might be taken up in a study committee at a later date. **HB 2366** by Rep. Bowers was referred to the full committee with a recommendation for an amendment. The bill prohibits, after July 1, 2002, the sale of gift certificates with expiration dates, and it permits certificates to be redeemable for merchandise or their cash value. Rep. Bowers and Rep. Briley recommended amendments setting an expiration date at five years from the date of purchase, and removing the provision permitting the redeeming of the certificate for cash, respectively.

In the **Employee Affairs Subcommittee, HB 2874** by Rep. Kisber and **HB 2637** by Rep. Overbey went to the full committee. **HB 2874** grants self-insured workers compensations groups a 90-day extension for filing financial reports, and permits the Department of Commerce and Insurance to levy a fine of up to \$100 per day until the report is filed. The intent of the legislation is uniform treatment of self-insured workers compensations groups and regular self-insured entities. **HB 2673** authorizes an employer as well as an employee to enjoin the second injury fund as a defendant in a claim.

Education

Jessica Peccolo

Education Committee Welcomes the New UT President

Governor Don Sundquist was present to begin the meeting of the House Education Committee this past Tuesday, March 5. After a few opening remarks about the importance of the decisions made by the Education Committee, Governor Sundquist introduced the new president of the University of Tennessee, Dr. John Shumaker, and his wife, Lucy. The Shumakers are coming to UT from the University of Louisville where Dr. Shumaker is currently serving as president. Following a standing ovation, Dr. Shumaker thanked legislators and members of the audience for the warm welcome and made a few remarks. He promised to work with his colleagues to make the University of TN one of the best research institutes in the country. Dr. Shumaker also promised to work openly and in a positive manner with legislators to face the funding challenges that exist in Tennessee.



Dr. Shumaker speaks to the House Education Committee.

Committee Activity for the Week

Full Committee

Only one of the three bills on calendar for this week was passed. **HB 2565** (Winningham) requires school boards who have their operating policies in electronic format and a who have a website, to post their policies on the website. Both **HB 2779** and **HB 1706** were rolled. Next week there will be a hearing on HB 1706, which has an amendment that addresses the new policy regarding algebra for vocational students. Before adjourning the committee, Chairman Winningham urged members to put any bills they were sponsoring on notice as soon as possible.

K-12 Subcommittee

Two bills were passed from the K-12 Subcommittee this week. **HB 1537** (DeBerry, L) creates a three-year pilot program in four schools across the state. The goal of the program is to create a neighborhood school environment. Under this legislation, 25% of teachers in a participating school would have to live within 10 miles of the school. Speaker Pro Tem DeBerry explained that a similar program was being conducted in Shelby County whereby law enforcement officers were living in the neighborhoods in which they served. The bill passed to full committee. The other bill to pass from K-12 this week was **HB 2900** (Boyer). This bill is in response to the new ESEA legislation, as requested by the Department of Education. Currently, writing assessment exams are given to students in grades 4, 7, and 11. The intent of this bill is to give the Department of Education the flexibility to meet the accountability standards set up by the ESEA as the details from the federal legislation become more clearly defined. Under this legislation, the writing assessment will be given at least once within each of the following grade spans: elementary, middle, and high school.

The following bills were rolled: **HB 2319, HB 2411, HB 2514, HB 2670, and HB 3083**. Representative Maddox spoke on **HB 2934**, which removes gifted children from the special education classification and earmarks a special fund for such programs within the BEP. In his remarks, Maddox said that it was never his intent to do away with gifted education program, and that he recognizes the importance of those programs. The Representative from Weakley County also said that there was too much misinformation being circulated about the bill and its intent, therefore now is not the time to try to pass this legislation. He took the bill off notice until the Department and the opposing sides of this issue get together and come up with a solution that was agreeable to

all parties involved. **HB 2216** and **HB 2780** were also taken off notice.

Higher Education Subcommittee

HB 3165 (Davidson) makes changes to the BEST program in order to bring the program under compliance of new federal law. Currently, documentation and a fee are required before benefits can be paid out. This bill removes the documentation and the penalty. It also allows a student who receives another scholarship to transfer his or her benefits to a different tuition plan. The bill was passed to full committee

HB 2069 (Odom) renames Nashville State Technical Institute, thus converting it to a community college. The bill provides for management, program offerings, and the rights and obligations currently held by the Institute. An amendment deletes the name, Nashville State Community College, as was proposed originally and renames the institute Nashville State Technical Community College. The committee voted to recommend the amendment and passed the bill to the full Education Committee.

Chairman Pinion announced that he was looking to close down the Higher Education Subcommittee in the near future and encouraged members to put any bills on notice.

The Ad Hoc Committee on Charter Schools

Jessica Peccolo

A second meeting of the Ad Hoc Committee on Charter Schools was held on Wednesday afternoon, February 27th. The first presenter was Jerry Winters, of the Tennessee Education Association. Mr. Winters shared some of the TEA's concerns regarding charter schools with the committee. Those concerns include:

- * Charter legislation needs to be carefully and thoughtfully drafted. Mr. Winters suggested that legislation be limited in scope and that a sunset date be established.
- * Careful thought needs to be given to the parties who are granted a charter.
- * Employees need to be state-licensed teachers (meeting the same employment standards as public school teachers).
- * Charter schools should not in any way resegregate

schools.

- * Charters need to meet the same accountability measures as public schools.
- * Charter grants should not be issued to religious groups, home school groups, or cyberschools.
- * Charter schools should not be allowed to contract with education management companies as they typically make their money through lower teacher salaries.

Mr. Winters assured committee members that the TEA was willing to keep an open mind and work with legislators while charter legislation is being considered.

Dan Tollett, the executive director of the Tennessee School Boards Association, addressed the committee following Mr. Winters. Mr. Tollett outlined three elements that were necessary for the TSBA to support charter legislation. First, charter schools should be granted by the local boards of education and should serve as a learning tool for other public schools in the district. Second, charter schools should be given enough freedom from state regulations to try new and innovative ideas. Finally, if a charter is granted by the state board rather than the local board, the full funding of that school should become the state's responsibility. Tony Lancaster of the Tennessee Organization of School Superintendents echoed Mr. Tollett's concern that the charters needed to be granted locally.

The final presenter during last week's meeting was Jon Schrader, the Director of Charter Friends National Network, based out of Minnesota. The first charter was granted in Minnesota ten years ago. He encouraged legislators to draw on Tennessee's own strengths and needs when drafting charter legislation. Mr. Schrader also emphasized legislation should be drawn for reasons other than simply gaining more federal funding. He spent several minutes sharing lessons that other states had learned about charter schools. Specifically, the quality of charter schools relies heavily on the quality of the sponsors and the governing board. Charter schools are more successful when they have the support and help of the LEA's. The remainder of the meeting was spent in a question and answer session with Mr. Schrader.

The committee met again on Wednesday, March 6th. The follow up report on that meeting will be included in the March 14th issue of *The Research Review*.

Finance, Ways & Means

Cathy Higgins

The **full committee** had four bills on calendar this week, all were sent to Calendar and Rules.

HB 2108 (Whitson) names the National Guard Army in Erwin in honor of the "Erwin Nine." As amended, the source of funding for the signs will come from non-state sources.

HB 2906 (McDaniel) amends the code to add back the permit fee of \$80 for school food establishments. This fee was inadvertently left off of last year's health fee bill.

HB 3073 (Kisber), as amended, permits the state funding board, school bond authority, local development authority, state housing agency, and state veterans home board to invest proceeds from bond issues in a guaranteed investment contract with the credit rating of AA or its equivalent.

HB 3014 (Kisber), as amended, revises the formula used in determining the tax due under the recordation tax when property is in and out of the state. The fiscal impact will not significantly affect revenues received from the recordation tax.

Budget Subcommittee

March 6, 2002

Budget Sub had 18 bills on calendar this week. Several were rolled from previous calendars. Following are bills that were referred to full committee.

HB 2187 (McDaniel) is the homeland security supplemental appropriation. This bill as amended provides funding for the current year for homeland security as recommended by the Homeland Security Council.

HB 2159 (Buck) from Judiciary, clarifies collection of litigation taxes by the clerk of the appellate courts.

HB 2957 (Rinks) as amended places a 2 percent gross receipt tax on untaxed services and creates a tax study commission composed of 11 members. Services to be taxed by the gross receipts tax include administrative and support services; construction services; educational; finance, insurance, and real estate; for- and not-for-profit health care and social services; information services;

media advertising; personal services; professional and technical services; and transportation services.

HB 2863 (Kisber) establishes guidelines for sale and issuance of state's interest-bearing revenue anticipation notes.

HB 2643 (Bittle) from Conservation and Environment, creates a deer management program within TWRA.

HB 2890 (Sargent) from the Commerce establishes regulations for investment advisor representatives under the Tennessee Securities Act. The regulations are similar to those that exist under present law for investment advisors.

HB 2668 (Jones, U) from Health and Human Resources increases the additional fine earmarked for the Traumatic Brain Injury (TBI) Fund for driving with an invalid license or for DUI from \$10 to \$15. The bill also adds an additional \$15 fee earmarked for the TBI Fund for adult driving while impaired violations.

HB 2419 (Tindell) from State and Local clarifies that property of an airport located outside the county where the creating municipality is located shall be and remain in an annexation free zone unless approved by a resolution of the legislative body of the creating municipality.

HB 2895 (McDaniel) as amended authorizes the Department of Commerce and Insurance to conduct a survey of persons disenrolled between July 1, 2001 and June 30, 2002, by the TennCare Program. The survey is to determine if these people were able to procure health insurance elsewhere. The amendment clarifies that cost of the survey will come from existing resources.

For a summary of the Finance Committee's Budget Hearings on K-12, Health, Human Services, Children's Services and the Commission on Aging, turn to the special section on page 12.

Government Operations

Ryan Swindell

The **Government Operations Committee** did not meet this week. There will be three sunset hearings Monday, March 11, 2002 in room 14 of Legislative Plaza. At 1:00 P.M. the General Welfare, Health and Human Services joint subcommittee will have a follow-up hearing of the Department of Human Services and the Panel on Health Care Facility Penalties. At 2:00 the Judiciary, Law Enforcement and Criminal Justice joint subcommittee will have a follow-up hearing of the Tennessee Victims' Coalition. At 3:30 the Commerce, Labor and Transportation joint subcommittee will have a follow-up hearing of the Tennessee Center for Labor-Management Relations.

Health & Human Resources

Judy Narramore

The **Health & Human Resources Committee** met at noon on Tuesday with one bill on the calendar. **HB 2365** by Rep. L. DeBerry, which would require ambulatory surgical treatment centers to report discharge claims data to the Department of Health, was referred to C&R.

The committee also heard three presentations this week. Commissioner Fredia Wadley, Department of Health, gave a presentation on "The State of Tennessee's Health."



Commissioner Wadley appears before the Health and Human Resources Committee on March 5th.

JoAnna Damons, TennCare Long Term Care Director, discussed TennCare funded waiver programs that are administered through the Division of Long Term Care. Chris Grant, Director of Planning with Alexian Brothers

Community Services, presented an overview of PACE, Program of All-inclusive Care for the Elderly.

The **Human Services & Mental Health Subcommittee** did not have bills on notice and did not meet.

Wednesday morning the **Health Access Subcommittee** met to consider four bills on the calendar. Chairman Arriola announced that the final meeting of the Health Access subcommittee would be on March 27, 2002. **HB 2318** by Rep. B. Cooper, which would increase the training requirements for child care workers, was moved to the day care study committee chaired by Rep. L. DeBerry. **HB 2272** by Rep. Bowers, which would allow providers to receive one CON for mobile MRI units serving multiple sites, was referred to full committee. Rep. Bowers brought a verbal amendment that will be drafted and brought before full committee that limits the number of sites to three. **HB 3015** by Rep. Kisber as amended, which would require the Commission on Aging to initiate an outreach program, within available resources, to provide Medicare-eligible Tennesseans information and education relative to obtaining prescription drugs at a discounted cost and obtaining prescription drugs through programs based on income, was referred to full committee. **HB 2064** by Rep. Maddox, which would extend the expiration date of the exception to the definition of home health services for care rendered by community agencies for the developmentally disabled, was referred to full committee.

The **Health Subcommittee** met Wednesday morning with seven bills on notice. **HB 0628** by Rep. Arriola concerning nursing home reform was discussed at length and ultimately rolled for further review and consideration of a proposed amendment that rewrites the bill. **HB 2271** by Rep. Bowers as amended, which would enact the "Tennessee Emergency Health Powers Act," was referred to full committee. **HB 2339** by Rep. Bowers, which would allow hair braiders to work in a licensed facility without the supervision of a cosmetologist, was referred to full committee. **HB 2479** by Rep. Patton, which would allow the Department of Health to suspend or revoke the licenses of health care professionals who fail to repay student loans or meet loan-related service requirements, was referred to full committee. The remaining bills on calendar were rolled at the request of the respective sponsor: **HB 2273** by Rep. Cooper (surgical technologist licensure), **HB 3203** by Rep. McMillan (practice of dentistry), and **HB 2429** by Rep. Odom (advance practice nurse).

Judiciary

Paige Edwards

Civil Procedure & Practice

On Tuesday, the **Civil Procedure & Practice**

Subcommittee met to consider 20 bills. HB 473 by Representative Maddox and HB 2778 by Representative Odom were taken off notice. HB 1898 by Representative Maddox, HB 1001 by Representative Bowers, HB 388 by Representative White, HB 2154 by Representative Buck, HB 2332 by Representative Buck, HB 102 by Representative Odom and Representative Buck, HB 2321 by Representative Bone, HB 3111 by Representative Fowlkes, HB 3027 by Representative Kisber, HB 2194 by Representative Bunch, HB 2498 by Representative Bunch, and HB 2923 by Representative J. DeBerry were rolled for two weeks.

The following six bills were sent to the full committee:

- **HB 2505** by Representative Turner (Davidson), as amended, authorizes an individual, who renders emergency care as a good samaritan under the good samaritan law to request an evaluation for exposure to potentially life-threatening airborne or bloodborne diseases.
- **HB 2928** by Representative Bone, as amended, defines a poultry production house as any place or premises where chickens are kept for the production of eggs or broilers for resale to processors, wholesalers, or retailers. Under present law, these entities are defined as egg production houses and such entities do not include the production of broilers. Also, this bill adds "appearance" of a feedlot, dairy farm, or poultry production house to the conditions that shall not constitute grounds for a nuisance action or proceeding. This bill was adopted, as amended, in the Senate on March 4, 2002.
- **HB 2913** by Representative Whitson requires all persons and entities to keep and preserve suitable records for inspection by the commissioner of revenue, upon a reasonable request. A taxpayer, who fails to comply with the provisions of this bill, would be assessed taxes, any applicable penalty and interest, and a record-keeping noncompliance penalty of 10% of any taxes that are assessed.
- **HB 3149** by Representative Givens establishes that the Department of Revenue and the Attorney General would share confidential information relating to the Tobacco Manufacturers' Escrow Fund Act.
- **HB 2351** by Representative Givens, as amended, clarifies the present law that provides a rebuttable

presumption that a farm or farm operation is not a public nuisance. Also, this bill creates a rebuttable presumption that a new type of farming operation is not a public or private nuisance. This bill defines a new type of farming operation as a farm operation that is materially different in character and nature from previous farming operations and that is initiated subsequent to the date that the person alleging the nuisance becomes the owner or lessee of the land.

- **HJR 693** by Representative Sands proposes an amendment to the Tennessee Constitution to require the General Assembly to prescribe the maximum fine that may be assessed without a jury. The 101st General Assembly adopted SJR 629 relative to the General Assembly's power to prescribe the maximum fine that may be assessed without a jury. HJR 693 must pass with a two-thirds vote in each house. In effect, the resolution would require a vote at the 2002 regular November election.

Note: The **Civil Procedure & Practice Subcommittee** will not meet next week. The subcommittee will consider bills on Tuesday, March 19, 2002.

DUI

On Tuesday, the **DUI Subcommittee** met to consider six bills. HB 2669 by Representative Jones (Shelby), HB 3032 by Representative Maddox, HB 3181 by Representative J. DeBerry, and HB 3189 by Representative Hargrove were rolled for one week.

The following two bills were sent to the full committee:

- **HB 2652** by Representative Turner (Hamilton) authorizes the courts in Hamilton County to impose a blood alcohol test fee against a defendant who is charged with a DUI offense. The fee charged would be equal the amount expended in administering the blood test. The fee would be in addition to other fines or sentences imposed by the court and would be collected by the clerks of the courts. The fee would be remitted monthly to the entity that paid for the blood test. This bill passed on the Senate Consent Calendar on March 4, 2002.
- **HB 2542** by Representative Patton adds an additional \$5.00 fine for convictions of DUI offenses that would be appropriated to the impaired drivers trust fund.

Judicial Administration

On Wednesday, the **Judicial Administration Subcommittee** met to consider four bills. HB 2531

by Representative Walker was rolled for two weeks. HB 2389 by Representative Bunch was rolled for one week.

The following two bills were sent to the full committee:

- **HB 1638** by Representative Bowers, as amended, requires the Department of Mental Health and Developmental Disabilities to accept pretrial detainees for mental evaluation within 10 days of a court order. Also, this bill requires the superintendent of a mental health facility to admit pretrial detainees within 10 days of a court order authorizing hospitalization for pretrial detainees.
- **HB 2219** by Representative Dunn allows petitioners seeking review of a final decision made by the Department of Human Services or the Department of Children's Services to file in the county of the commissioner's official residence or in the county in which at least one petitioner resides. The petition would be filed in the appropriate chancery court. Under present law, review is limited to final decisions made by the Department of Human Services. The intent of this bill is to rectify an oversight in the present law.

Note: The final meeting of the **Judicial Administration Subcommittee** will be held on Wednesday, March 20, 2002. Any member requesting their bill to be heard should put the bill on notice by Wednesday, March 13, 2002.

Criminal Procedure & Practice

On Wednesday, the **Criminal Procedure & Practice Subcommittee** met to consider seven bills.

HB 2788 by Representative Buttry was rolled for two weeks. HB 2577 by Representative Buck was taken off notice.

The following five bills were sent to the full committee:

- **HB 2885** by Representative Ford adds "the knowing exposure of a child to or the knowing failure to protect a child from exposure to a methamphetamine lab" to the definition of severe child abuse.
- **HB 2573** by Representative Buck creates a Class D felony offense of possessing ephedrine or pseudoephedrine with the intent to manufacture amphetamine or methamphetamine.
- **HB 2574** by Representative Buck provides that a person commits the offense of criminal exposure to drug trafficking who manufactures, delivers, or sells a Schedule I or Schedule II substance, if at the time of the offense, such person was accompanied by a child under 13 years of age.

- **HB 2575** by Representative Buck creates a Class D felony offense for a person to use or possess with the intent to use two or more objects that constitute drug paraphernalia, in combination, to make amphetamine or methamphetamine. It would be a Class C felony offense if the violation occurs on property open for public lodging.
- **HB 2576** by Representative Buck creates a Class E felony offense for a person to possess a substance with the intent to manufacture a controlled substance or to convey the substance to another for manufacture of a controlled substance. This bill would not apply to persons licensed to dispense or prescribe a controlled substance.

Full Committee

On Wednesday, the **Judiciary Committee** met to consider 23 bills. HB 372 by Representative Westmoreland was rolled to the last calendar of the committee. HB 1884 by Representative Towns, HB 2128 by Representative McMillan, HB 3020 by Representative Buck, and HB 361 by Representative Buck were rolled for two weeks. HB 560 by Representative Boyer, HB 2918 by Representative Brooks, HB 2392 by Representative Bunch, and HB 2653 by Representative Turner (Hamilton) were rolled for one week.

The following 11 bills were sent to **Calendar & Rules**:

- **HB 2657** by Representative Winningham enables citizens to inspect records, employment applications, credentials, and similar documents held by a governing body for review in selecting an individual to fill a personnel vacancy. Primarily, this bill would be useful when individuals apply for a position in a public school system.
- **HB 1895** by Representative Maddox amends the consumer protection act to extend the statute of repose from four to five years. The Senate passed this bill with an amendment on May 9, 2001.
- **HB 2520** by Representative Turner (Davidson), as amended, requires a notary public, who is not an attorney, to provide notice in any advertisement that states that such notary public is not an attorney. The notice would be printed in English and in any other language that is used in the advertisement.
- Also, this bill prohibits a notary public, who is not an attorney, from representing or advertising that he or she is an immigration consultant, immigration paralegal, or expert on immigration matters without proper accreditation. Noncompliance with the provisions of this bill would constitute an unfair or deceptive act under the consumer protection act.

- **HB 2536** by Representative Kent authorizes the director of TBI to commission uniformed security officers to protect and secure TBI employees, facilities, and grounds. The security officers would be authorized to carry firearms and make arrests.
- **HB 687** by Representative Garrett exempts any person who merely holds a security interest in a solid waste or baled waste facility or site from liability for cleanup or remediation of such site.
- **HB 3146** by Representative Fowlkes provides a venue for suits involving the wrongful collection of taxes. Under this bill, suits to recover ad valorem taxes that are wrongfully collected by a city or county would be tried in the county where the taxes are collected.
- **HB 2579** by Representative Fowlkes clarifies that participants in Teen Court may not receive compensation for their services. Also, this bill states that Teen Court participants may receive tokens of appreciation or awards in recognition of public service. This bill enables Teen Court participants to be reimbursed for travel expenses according to the regulations for reimbursing state employees.
- **HB 2116** by Representative Newton would permit a judge to grant a restricted driver license to an individual whose previous conviction for a DUI or DWI occurred more than 10 years prior to the present violation. This bill would continue to prohibit individuals from obtaining restricted driver licenses who have a prior conviction for vehicular assault, aggravated vehicular homicide, or vehicular homicide while under the influence.
- **HB 2618** by Representative Briley, as amended, authorizes the environmental court judge in Davidson County to appoint a referee. Also, this bill describes the qualifications and responsibilities required of the referee. This bill would be funded by local public funds.
- **HB 2524** by Representative McMillan, as amended, makes several changes to the revised uniform partnership act. One substantive change involves the continuation of the partnership after a partner withdraws from the partnership.
- **HB 2572** by Representative Buck amends the law relating to persons who shall not take depositions. Under this bill, an attorney can take depositions provided the attorney is acting in his or her official capacity.

The following three bills were sent to **Finance, Ways, & Means**:

- **HB 2964** by Representative Dunn increases the penalty for operating unauthorized money transmitter businesses from a Class E felony to a Class D felony

with an additional mandatory fine not to exceed \$10,000.

- **HB 2402** by Representative Fowlkes increases the compensation given to jurors from \$10.00 to at least \$20.00.
- **HB 2619** by Representative Briley provides that circuit court judges, criminal court judges, and general sessions court judges would be authorized to order misdemeanor offenders, who are sentenced to a county jail or workhouse, to be placed on work release.

State & Local Government

Lawrence Hall, Jr.

This week in **State and Local Government**, the full committee passed **HB 2403**, by Rep. Pinion to Calendar and Rules. This bill extends the Select Oversight Committee on Corrections to the year 2005. Other bills sent to Calendar and Rules were **HB 2368** (Rep. Pinion), **HB 2905** (Rep. Ford), **HB 3101** (Rep. Buttry), and **HB 2361**, as amended (Rep. Curtiss).

HB 2077 by Rep. Turner of Davidson County, makes it a requirement that eligible state employees be paid double time if the employee is required to work on a state holiday or on a Sunday only if the employee has worked a normal work week. This bill was passed to Finance, Ways, and Means. Other bills going to Finance were **HB 2867** (Rep. Kisber) and **HB 3105** (Rep. Tindell).

State Government Subcommittee heard **HJR 672**, by Rep. Bowers. This resolution creates a council to study hepatitis in state prisons and possible prevention for forms A, B, and C. It was sent to full committee. All other bills were rolled to a later calendar.

Local Government Subcommittee considered and passed **HB 2478**, by Rep. Patton. This bill will allow local governments to begin to collect delinquent property taxes one year after taxes become delinquent rather than two years. The committee also heard **HB 1601**, by Rep. S. Jones. Under this bill, fire and police department employees will have the right to organize for the purpose of negotiating with the government. This bill was passed to full committee.

Elections Subcommittee passed one bill to full committee. **HB 2371**, by Rep. U. Jones, allows the sale of registered voter lists by the coordinator of elections, with

the proceeds to be allocated to the "voting machine loan fund".

Transportation

Greg E. Adkins

The full **Transportation Committee** met on Wednesday, March 06, 2002 and considered six bills. The following bills, **HB 2335** and **HB 2336** by Rep. Garrett, passed to FW&M as amended. **HB 2335** and **HB 2336** authorize directional highway signs for "Talbot's Corner" in Davidson County. **HB 2484** by Rep. Bittle passed to FW&M as amended; the bill creates a memorial highway sign for trooper "John Robert Davis" who was killed in the line of duty. **HB 2269** by Rep. Fitzhugh passed to FW&M as amended; the bill would authorize motorcycle funeral processions to use green strobe lights statewide. **HB 2956** by Rep. Rinks was rolled one week. The bill would allow the Commissioner of the Department of Safety to issue a certificate of self-insurance to recognized religious sects, if the members of that sect or division had twenty-five automobiles or more. **SJR 529** by Rep. Cole (Sen. Crowe) passed to FW&M; the bill named a bridge in Carter County after Master Sergeant Jefferson Donald "Donnie" Davis. He was killed in combat in the war on terrorism.

The **Public Transportation & Highways Subcommittee** met on Tuesday, March 5, 2002 and considered two sign bills by Rep. Pruitt. **HB 2519** passed to full committee as amended. It creates the "Robert E. Lillard Memorial Highway" sign. **HB 3161** by Rep. Pruitt passed to full committee as amended. The bill creates the "Candace Ripp Memorial Parkway" sign.

Rural Roads Subcommittee was cancelled.

The **Transportation and Safety Planning Subcommittee** met on Wednesday, March 06, 2002 and considered seven bills. **HB 2656** by Rep. Winningham passed to the full committee. The bill authorized the issuance of a new specialty license plate for the "Friends of Big South Fork National River and Recreation Area." **HB 2649** by Rep. Langster passed to the full committee; the bill authorized the issuance of a new specialty license plate for the "Vanderbilt Children's Hospital." **HB 2210** by Rep. Davis was taken off notice. It required a copy of a moving violation made by a minor be mailed to their parents.. **HB 2693** by Rep. Head was rolled one week. It increases the height limit for transporting manufactured homes, and increases the permit period. **HB 2916** by Rep. Newton was rolled one week. It extends the exemption so that

traffic rules won't apply to road workers on right-of-way adjacent to highways. **HB 2360** by Rep. Curtiss was rolled one week; it designates and allocates \$21.3 million to the state-aid highway system. **HB 586** by Rep. Patton was rolled one week. It specifies that a driver passing on left shall move to right after passing or be fined.

(Summaries of Budget Hearings begin on the next page...)

Budget Hearings
House Finance, Ways & Means Committee
K-12 Education - February 27th
Department of Health - February 28th
Department of Human Services - February 28th
Department of Children's Services - February 28th
Commission on Aging - February 28th

K-12 Education

Wednesday, February 27, 2002

Jessica Peccolo

Last Wednesday afternoon, February 27th, Commissioner Faye Taylor and Deputy Commissioner Jeff Roberts from the Department of Education addressed the Finance Committee on the K-12 budget proposal. Commissioner Taylor began her remarks with comments about the budget proposal with no new revenue that cuts over \$400 million from K-12 education. In Commissioner Taylor's words, "there is no way this budget can be enacted without hurting the education of every child in the state of Tennessee." The cuts would be taken from the BEP and extended contracts, and through measures such as increasing the student teacher ratio by 5 students. According to the department, with the new initiatives and accountability measures recently passed in the federal "No Child Left Behind" program, cutting nearly half a billion dollars from K-12 education would be a monumental step backward that would be extremely difficult from which to recover.

To clarify the direct effect that such a cut in BEP funds would have, Deputy Commissioner Roberts gave out a packet that broke down the cuts to the BEP and to extended contracts that each LEA would experience. Large school systems such as Memphis City Schools could take a loss of nearly \$50 million, while smaller school systems such as Wilson County could lose as much as \$5 million. Members requested information from Comptroller Morgan as to the increase in property taxes that would be required in each county to make up for the loss in education funding. Rep. Givens pointed out that when large cuts were made in the past, the local governments did not come to the rescue by making up for the lost funds. Commissioner Taylor, while adamantly opposed to this budget proposal, urged lawmakers not to mandate where LEA's were to make the cuts, but to let the locals make those tough decisions.

Chairman Kisber next asked Commissioners Taylor and Roberts to discuss the department's budget if it was fully funded, but with no improvements. For this to happen for the 2002-2003 fiscal year, the state would need to allocate \$2,616,085,200 for K-12 education.

The following table is a breakdown of the mandated programs that must be provided with that money.

K-12 Mandated Programs Deducted From Budget of \$2,616,085,200

BEP	\$ 2,418,125,300
Career Ladder	\$ 65,787,900
Extended Contracts	\$ 25,412,100
Special Ed (Infants and Toddlers)	\$ 13,298,100
Federal Matched Programs (Child Nutrition, Special Ed, Vocational Ed, Family Resource Centers)	\$ 9,949,800
Gateway Testing	\$ 12,608,300
Driver Education	\$ 1,700,000
TN School for the Blind	\$ 7,625,900
TN School for the Deaf	\$ 10,824,700
West TN School for the Deaf	\$ 1,698,700
Drop out prevention	\$ 60,000
Major Maintenance	\$ 239,100

After accounting for the mandatory programs, the State Department of Education has \$48,755,300 in discretionary funding. Commissioner Roberts gave an overview of where those funds would be spent and told legislators that approximately 97% of the Department's funds are used for local programs aimed to help schools better educate their students. Only \$7,429,900 is used for Department Administration, which includes teacher certifications and financial technical assistance to local school systems. The rest of the discretionary funds are used for programs such as the Holocaust Commission, Touching the Lives of Children, growth funds above 2%, Internet connections for schools, early childhood education, school health programs, and assistance to at-risk schools to name a few. The State Department of Education has 1,063 employees. Of those, 550 work at the special schools and 182 of the ones remaining are funded with federal funds. This leaves 331 positions within the actual administration of the Department and a vacancy rate of 19%. Commissioner Taylor explained to members that the LEA's offered better pay than the state department, so it is difficult to fill the positions. Currently, the Metro Nashville Department, after just cutting 100 positions, has doubled the number of employees in their administrative offices than the State Department of Education employs.

The final portion of the Department of Education's presentation focused on the proposed improvements to the K-12 budget, if the House and Senate can pass some sort of new revenue. Mandated improvements include \$45,553,000 to fully fund the BEP and \$227,800 for training and experience increases for teachers at the special schools. A \$5,000,000 increase in federal funds for end-of-course testing brings the total for mandated improvements to \$50,780,800. High Priority Improvements include the items listed in the table below.

High Priority Improvements for K-12 Education

Teacher Salary Increase	\$ 40,700,000
Teachers Liability Insurance	\$ 7,000,000
Charter Schools	\$ 80,000
Autism Center Start Up	\$ 500,000
Special School Safety Needs	\$ 192,100
Special Schools Student Home Needs	\$ 111,700
Special Schools Equipment Replacement	\$ 86,500
TSB Implementation of Braille Production	\$ 126,100
Subtotal	\$ 48,796,400

The two remaining categories of improvements are to restore items made nonrecurring in the current year's budget and improvements related to the Governor's Reading Initiative. Nonrecurring expenses include the Science Alliance Museums, Public TV, TSBA, Governor's Schools, School Safety Grants, and Performance Incentive Grants. The subtotal for these items is \$14,523,600. The Governor's Reading Initiative has several components, many of which will be funded with federal dollars from the Reading Excellence Act (REA) and the Elementary and Secondary Education Act (ESEA). The table below breaks down the initiative into its components and details both state and federal funding.

Governor's Reading Initiative (State and Federal Funding)

Component	State Funding	REA Federal	ESEA Federal	Total Imprv.
Reading	\$10,040,000	\$11,000,000	\$2,000,000	\$23,040,000
Early Child Ed.	\$40,300,000	None	None	\$40,300,000
Catching Up	\$11,100,000	None	\$5,500,000	\$16,600,000
Quality Teaching	\$ 2,960,000	None	\$1,465,000	\$ 4,425,000
Teaching Resources	\$ 5,600,000	None	None	\$ 5,600,000
Subtotal	\$70,000,000	\$11,000,000	\$8,965,000	\$89,965,000

ESEA provides additional funding for the following initiatives.

New Federal Funding through ESEA

Title I	\$ 20,430,800
Reading First Grants	\$ 12,372,500
Community Learning Centers	\$ 5,221,600
Assessment	\$ 1,964,400
Technology Literacy Grants	\$ 1,246,000
Local Disbursements	\$ 32,200
Special Education	\$ 310,500
Subtotal	\$ 41,578,000

The total state share in the proposed improvement (mandated, high priority, non-recurring) is \$109,100,800. If the Governor's Reading Proposal is enacted, it will mean another \$70,000,000 of state funding in the 2002-2003 fiscal year. The ESEA (No Child Left Behind) will bring \$37,969,000 in new federal funding for K-12 education in Tennessee.

The budget hearing for Higher Education was held on Wednesday, March 6 at 1:30. A summary of that hearing will appear in next week's research review.

Department of Health

Thursday, February 28, 2002

Judy Narramore

Commissioner Fredia Wadley presented the Department of Health's budget for FY 02-03. The Department's total budget request is \$393 million, funded 25% state, 48% federal, and 27% other. The Department is requesting \$3.9 million in new state dollars to fund the following improvements:

- \$141,200 to fund nine new nurse positions to conduct nursing home investigations
- \$759,600 to fund nine new positions to perform epidemiological outbreak investigations and environmental health studies
- \$40,000 to fund three information systems positions to provide computer support at three regional offices of the Bureau of Health Licensure & Regulation

- \$646,000 for hotel/restaurant inspection mandates of P.C. 311, which will be fee-supported from the metropolitan contract counties
- \$2 million for court-ordered drug treatment for repeat DUI offenders, which is funded from dedicated revenue
- \$200,000 for a Regulatory Boards data system replacement, which would be funded by dedicated licensure fees
- \$125,000 to provide travel expenses for St. Jude patients and their families. This grant was changed to non-recurring during last year's budget process.

Of the Health Department's \$386 million base budget, \$93 million is funded by state dollars. Of that \$93 million state base, \$33 million is required match for grants, \$9 million funds mandated programs, such as vital records and environmental inspections, \$8 million goes to state labs, \$5 million is used for tuberculosis control, \$1 million funds the post-mortem examination program, and \$22 million is spread among the 95 county health departments. This leaves about \$15 million in state funds from which to make cuts, which means smaller programs such as poison control, employee health clinic, strike out stroke, etc. would have to be cut.

If the state reverts to Medicaid, the Health Department would need approximately \$30 million in state funds to replace federal TennCare dollars. Without TennCare, the Health Department would see increased service delivery needs in programs such as immunizations, dental, primary care, AIDS, and services for special needs children and specialty populations.

Department of Human Services

Thursday, February 28, 2002

Judy Narramore

Commissioner Natasha Metcalf presented the Department of Human Services' budget for FY 02-03. The Department's base budget request is \$1.3 billion, funded 12% state, 83% federal, and 5% other. Five major DHS programs account for slightly more than \$1 billion of the \$1.3 billion budget: food stamps, child care, families first, vocational rehabilitation, and child support.

The Department is requesting \$6.1 million in new state dollars to fund the following improvements:

- \$2 million to replace a 5% child support payment collection fee that parents had been paying until HHS directed the Department to discontinue the fee in October 2001
- \$398,400 to privatize child support enforcement activities in Knox County
- \$409,100 to cover the costs of non-sufficient checks written for child support
- \$20,100 for mandated raises for assistant district attorneys who handle child support cases
- \$1.5 million for child care vouchers
- \$1.7 million for increased cost of services for existing clients under order of selection in vocational rehabilitation program
- \$62,000 for a capital maintenance project at the Tennessee Rehabilitation Center

Department of Children's Services

Thursday, February 28, 2002

Denise Sims

Budget hearings continued on February 28th with an overview of the Department of Children's Services. Commissioner George Hattaway led the presentation.

According to Commissioner Hattaway, the administration's total recommended budget for FY 2002-03 is \$533,241,100, of which \$251,804,800 are state dollars.

Improvements total \$18,188,100, of which \$10,310,500 are state dollars.

	Actual FY 00-01	Estimated FY 01-02	Base FY 02-03	Improv'm't FY 02-03	Recomm'd FY 02-03
Expenses					
Payroll	120,711,400	149,872,500	148,826,600	6,932,000	155,758,600
Operational	334,707,200	369,399,200	366,226,400	11,256,100	377,482,500
Total	455,418,600	519,271,700	515,053,000	18,188,100	533,241,100
Funding					
State	213,681,500	247,439,200	241,494,300	10,310,500	251,804,800
Federal	81,997,400	90,503,400	84,494,400	3,484,800	87,979,200
Other	159,739,700	181,329,100	189,064,300	4,392,800	193,457,100
Positions	3,533	4,067	4,067	58	4,125

DCS's budget contained the following improvements:

For Continued Implementation of the Child Welfare Reform Plan

(State Dollars)

Add'l case mgrs/supervisors	\$ 2,814,000
Annualize central intake 24hrs/day, 7 days/wk . .	291,000
Annualize CPS team for 3rd party investigators .	212,400
To meet increase in adoption assistance caseload.	2,610,300
Rate increase for residential contract providers . .	388,900
Rate increase for special needs adoptive parents .	102,500
Rate increase for C.S.A. case management	51,200
Total	\$6,470,400 (state dollars)
	(\$3,064,800 Federal; \$3,292,600 Other)

Brian A. Lawsuit Settlement

(State Dollars)

Reduce DCS supervisor ratios (58 positions).	\$ 956,800
Funding for residential contract agencies to meet required supervisor ratios	58,000
Rate increase for foster parents to meet standards. .	143,400
Rate increase for contract agency foster parents	197,800
Graduate education stipends to DCS staff	26,800
Total	\$1,382,800 (state dollars)
	(\$ 420,000 Federal; \$1,100,200 Other)

To Maintain Services

Grants for juvenile court supplements thru TN	
Commission on Children & Youth	\$ 950,000
Maintain reimbursement level for providers	
in child care certificate program at 70th %-ile.	82,200
Grants to Child Advocacy Centers	550,000
Total	\$1,589,200 (state dollars)
	(all state dollars)

For Juvenile Treatment Services (sex offender, alcohol & drug, violent offender treatment)

At Wilder Youth Development Ctr.	\$ 209,800
At Taft Youth Development Ctr.	106,200
At Woodland Hills Youth Development Ctr.	258,300
At Mountain View Youth Development Ctr.	182,000
Total	\$ 756,300 (state dollars)
	(all state dollars)

For Teacher Training and Experience (mandated adjustments in salaries)

At Wilder	\$ 5,800
At Taft	6,500
At Woodland Hills	7,800
At Mountain View	35,700
At DCS operated group homes	5,700
At Tennessee Preparatory School	50,500
Total	\$ 111,800 (state dollars)
	(all state dollars)

TOTAL IMPROVEMENTS - \$18,188,100

\$ 10,310,500 (state)

\$ 3,484,800 (federal)

\$ 4,392,800 (other)

The committee had a number of questions and comments for the department including the following:

... *Part of your services are paid for with TennCare dollars. If it is replaced by the traditional Medicaid Program, what impact will this have?*

Department: Approximately 2.3 million dollars that would have to be replaced with state dollars.

... *What if you were asked to trim 5% of your total budget?*

Department: Twenty-six or 27 million dollars. (5% of the FY 02-03 recommended budget is \$26,662,055.) That translates to a little over 10% of the total state dollars.

... *What has been the cost of these lawsuits?*

Department: Almost \$100 million. We expended \$60 million to try to get in compliance; \$30 million for the lawsuits.

Brian A. Update

For the past few years, the Department of Children's Services has received funds to implement a *Child Welfare Reform Plan* which was developed by the Child Welfare League of America. The plan was put into place after a study was conducted of the state's foster care, adoption and child protective services programs. Last fiscal year, just as the second year of the reform plan began, the state was faced with Brian A., the federal class action lawsuit filed by Children's Rights, Incorporated. The goal of the lawsuit was to reform child welfare systems here and across the country.

At the budget hearing last week, Commissioner Hattaway updated the Finance Committee on the progress related to the reform plan, and the to Brian A. settlement agreement. He says the department currently is in the third year of recommendations of the welfare plan, and in the first year of the requirements of Brian A. He listed 13 steps that the department has taken as part of the reform plan and Brian A. They include:

- Appointing an independent monitor by the federal court.
- Developing a technical assistance committee to help DCS with the settlement agreement.
- Developing an internal quality assistance unit to provide reports to DSC and the to the federal monitor.
- Developing a centralized intake system to receive and process reports of child abuse and neglect.
- Implementing Family Support Services.
- Increasing foster parent board rates in compliance with USDA standards.
- Adding 335 case managers and supervisors, thereby reducing caseloads and supervisory ratios as required by Brian A.
- Increasing the number of finalized adoptions, from 197 in '97 to 646 in '01.
- Implementing adoption teams to review the status and provide assistance in certain cases of placement.
- Hiring education specialists and attorneys to assist children in state custody with educational issues.
- Providing a rate increase to all residential providers.
- Reviewing the placement of all children in foster care to assure they are in the least restrictive environment while keeping them within a 75-mile radius of their communities whenever possible.

Commission on Aging

Tuesday, February 28, 2002

Judy Narramore

James Whaley, Executive Director of the Commission on Aging, presented the Commission's budget request for FY 02-03. The Commission has a total budget of \$32 million, funded 30% state and 70% federal. Improvement request dollars (\$2.5 million) would expand home and community based services, provide state match to federal family caregiver program dollars, and expand services to adults with disabilities that need home and community based care.

If asked to make reductions, the Commission would try to protect three priority funding areas: state match for federal funds, state dollars for maintenance of effort for federal funds, and home and community services dollars. Probable cuts would include funding for the retired senior volunteers program, senior center operations, and selected home and community services.

For Additional Information,
Contact The House Research Division at 741-3025.